

### EXAMINER'S AMENDMENT

An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. During a telephone conversation conducted on Thomas Cunningham, the attorney requested an extension of time for one MONTH(S) and authorized the Director to charge Deposit Account No. 15-0030 the required fee of \$130.00 for this extension and authorized the following examiner's amendment. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

In the claims:

Please cancel claims 1-12 and 36-39.

Claim 13 (Currently Amended): An isolated N-deoxyribosyl transferase protein (DTP)

that has at least 90% identity with the polypeptide of SEQ ID NO: 2 or SEQ ID NO: 4, but which is not SEQ ID NO: 2;

that retains residues Y13, D77, D97, E103, and M132 that respectively correspond to positions 13, 77, 97, 103, and 132 of SEQ ID NO: 2; and

that has threonine at a position corresponding to position 15 of SEQ ID NO: 2 or SEQ ID NO: 4, and which has N-deoxyribosyl transferase activity.

Claim 17 (Currently Amended): ~~The protein according to claim 13, which comprises SEQ ID NO: 2, provided said protein is not a protein consisting of the amino acid sequence of SEQ ID NO: 2~~ which is at least 98% identical to SEQ ID NO: 2.

Claim 23 (Currently Amended): The protein according to claim 13, wherein said protein has a catalytic activity on d4T and ddT greater than that of the native N-deoxyribosyl transferase protein of *L. fermentum* ~~represented by~~ comprising SEQ ID NO: 2.

Claim 24 (Currently Amended): The protein according to claim 23, wherein said catalytic activity on d4T and ddT is 50% greater than that of the native N-deoxyribosyl transferase protein of *L. fermentum* ~~represented by~~ comprising SEQ ID NO: 2.

Claim 25 (Currently Amended): The protein according to claim 13, wherein said protein has a catalytic effectiveness on d4T and ddT greater than that of the native N-deoxyribosyl transferase protein of *L. fermentum* ~~represented by~~ comprising SEQ ID NO: 2.

Claim 26 (Currently Amended): The protein according to claim 25, wherein said catalytic effectiveness on d4T and ddT is at least 5 times greater than that of the native N-deoxyribosyl transferase protein of *L. fermentum* ~~represented by~~ comprising SEQ ID NO: 2.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michele K. Joike whose telephone number is (571)272-5915. The examiner can normally be reached on M-F, 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Low can be reached on (571)272-0951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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